

CLEARY GOTTlieb STEEN & HAMILTON LLP

AMERICAS  
NEW YORK  
SAN FRANCISCO  
SÃO PAULO  
SILICON VALLEY  
WASHINGTON, D.C.

ASIA  
BEIJING  
HONG KONG  
SEOUL

One Liberty Plaza  
New York, NY 10006-1470  
T: +1 212 225 2000  
F: +1 212 225 3999  
clearygottlieb.com

D: +1 212 225 2508  
cboccuzzi@cgsh.com

EUROPE & MIDDLE EAST  
ABU DHABI  
BRUSSELS  
COLOGNE  
FRANKFURT  
LONDON  
MILAN  
PARIS  
ROME

June 25, 2025

VIA ECF

The Honorable Alvin K. Hellerstein  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1050  
New York, New York 10007

Re: *Kashef v. BNP Paribas S.A.*, No. 16-cv-3228 (AKH)(JW)

Dear Judge Hellerstein:

This firm and Gibson, Dunn & Crutcher LLP represent Defendants BNP Paribas S.A. (“BNPP”) and BNP Paribas U.S. Wholesale Holdings, Corp. (together “Defendants”) in the above-referenced action. Pursuant to Rule 4.B of the Court’s Individual Rules, we write to request leave to file on the public docket (1) certain documents under seal and (2) redacted versions of certain other documents that will be filed in connection with Defendants’ Motion for Sanctions as a Result of Plaintiffs’ Counsel’s Misconduct and for a Hearing, as referenced in the Declaration of Matt Benjamin in Support of Defendants’ Motion.

*First*, Defendants will file under seal the deposition transcripts of Plaintiffs Entesar Kashef, Turjuman Adam and Abulgasim Abdalla (Exhibits 7–9), which Plaintiffs designated as “Highly Confidential” under the Protective Order Regarding Confidential Discovery Material, dated June 28, 2021. ECF No. 245. In prior filings Plaintiffs requested that the parties file similar deposition transcripts under seal. *See* ECF No. 446.

*Second*, Defendants will file under seal publicly available videos obtained from Facebook and transcripts thereof (Exhibits 1, 1A, 2, 2A, 5, 5A). Though these materials are publicly available videos obtained from public Facebook accounts, Defendants file them under seal out of an abundance of caution given the videos show attendees who are potential class members and other members of the public. *See* Oct. 29, 2024 Hearing Tr. 13:14–20 (addressing confidentiality concerns of potential class members and the notice program).

*Third*, Defendants will file the Memorandum of Law in Support of the Motion for Sanctions as a Result of Plaintiffs’ Counsel’s Misconduct and Declaration of Matt Benjamin in

The Honorable Alvin K. Hellerstein, p. 2

Support of Defendants' Motion with certain redactions. Defendants have redacted quotes from Plaintiffs' deposition transcripts which were designated "Highly Confidential" and will file them under seal. In addition, consistent with the discussion at the October 29, 2024 and November 18, 2024 hearings regarding the confidentiality concerns of the questionnaire respondents, Defendants have also redacted quotes from questionnaires submitted during the Court-ordered questionnaire process, and statistics regarding those questionnaires. *See id.*

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'CB', is written above a horizontal line.

Carmine D. Boccuzzi, Jr.

CC: Counsel of Record